AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of _Massachusetts_

2004 AUG -4 P 12: 25

Jason Files

U.S. DISTRICT COURT
DISTRICT OF MASS

v.

Massachusetts Department
of Corrections

SUMMONS IN A CIVIL ACTION

04 11565 RCL

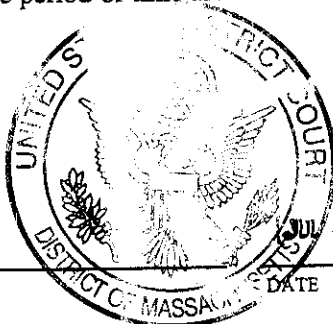CASE NUMBER:

TO: (Name and address of Defendant)

Thomas F. Reilly, Attorney General, Commonwealth of Massachusetts

One Ashburton Place, 20th Floor

Boston, MA 02108

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Jay M. Lipis, Esq.

Six Cabot Place, Unit 8, Stoughton, MA 02072

an answer to the complaint which is served on you with this summons, within _twenty (20)_ days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.
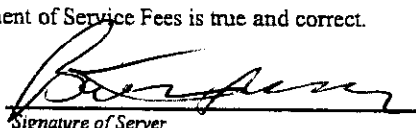
TONY ANASTAS

JUL 1 4 2004

CLERK   DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me[1]	DATE	July 26, 2004
NAME OF SERVER *(PRINT)* Burton M. Malkofsky	TITLE	Disinterested Person

Check one box below to indicate appropriate method of service

[X] Served personally upon the defendant. Place where served: One Ashburton Place, 20th floor, Boston, MA Left with Mr. Nestor, Person In Charge for Thomas F. Reilly, Attorney General, Commonwealth of Massachusetts.

[ ] Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

   Name of person with whom the summons and complaint were left:

[ ] Returned unexecuted:

[ ] Other (specify):

STATEMENT OF SERVICE FEES			
TRAVEL	SERVICES	TOTAL $0.00	$50.00

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on ___July 26, 2004___   _____
              Date   *Signature of Server*
                                      Burton M. Malkofsky, Disinterested Person

                                      P.O. Box 339, Weymouth, MA
                                      _____
                                      Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.